



*Creating Great Communities For All*  
**Connecticut Chapter of the  
American Planning Association**

February 17, 2023

**Testimony regarding**

**S.B. No. 1002: An Act Extending The Deadline For Zoning Enforcement Officer Certification.**

The Connecticut Chapter of the American Planning Association (CCAPA) sees no need for this bill as proposed. As you are aware, Public Act 21-29 modified CGS §8-3 (e)(2) to include the following:

“Beginning January 1, 2023, and annually thereafter, each person appointed as a zoning enforcement officer shall obtain certification from the Connecticut Association of Zoning Enforcement Officials and maintain such certification for the duration of employment as a zoning enforcement officer.”

It is important to note that this language, as written, does not specifically require that any person currently appointed as a ZEO obtain certification by January 1, 2023. It instead requires that any person who is appointed as a ZEO on or after that date obtain certification. The interpretation of this language has been clarified by CAZEO through discussions with the Office of Legislative Research and Office of Policy and Management. Further, there is no specific guidance given in the Statute about either the appropriate timeframe for final acquisition of such certification nor the legal/enforcement ramifications for failure to do so.

Barring further clarification of these two elements in the Statutes, these questions will likely play out in the courts, when targets of enforcement orders challenge the authority of a Zoning Officer to issue or enforce those orders. This is not a problem with the current statutory language identifying January 1, 2023 as the trigger date. It is instead a lack of specific definition of what is meant by “shall obtain certification” and “maintain such certification.” The General Assembly could certainly provide some guidance on these, and it is our recommendation that such clarifying language should be provided.

It is our belief that our partners at CAZEO have taken sufficient steps to ensure those seeking certification are able to obtain it and that simply extending the timeframe from 2023 to 2024 will only further delay any person not currently pursuing such certification from obtaining access to vital resources, training and support so that they may be successful in their work to support all of Connecticut’s 169 Municipalities.

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## **WHO WE ARE**

The Connecticut Chapter of the American Planning Association (CCAPA) has over 420 members who are governmental and consulting planners, land use attorneys, citizen planners, and other professionals engaged in planning and managing land use, economic development, housing, transportation, and conservation for

local, regional, and State governments, private businesses and other entities. CCAPA has long been committed to assisting the legislature and State agencies with developing and furthering responsible growth management principles. The APA is an independent, not-for-profit, national educational organization that provides leadership in the development of vital communities.

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## CONTACTS

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